

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

UNITED STATES OF AMERICA

v.

BRIAN MICHAEL BURKS

INDICTMENT

Case No. _____

Violations: 18 U.S.C. §§ 2251(a), 2251(e),
and 2423

COUNT ONE

Sexual Exploitation of a Child

The Grand Jury Charges:

On or about August 30, 2020, in the District of North Dakota,

BRIAN MICHAEL BURKS

did knowingly use, persuade, induce, entice, and coerce a minor, namely, Jane Doe, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer;

In violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

COUNT TWO

Travel with Intent to Engage in Unlawful Sexual Activity with a Minor

The Grand Jury Further Charges:

On or about August 30, 2020, in the District of North Dakota,

BRIAN MICHAEL BURKS

did travel in interstate commerce for the purpose of engaging in any illicit sexual conduct, as defined in Title 18, United States Code, Section 2423(g), with another person.

In violation of Title 18, United States Code, Section 2423(b).

COUNT THREE

Sexual Exploitation of a Child

The Grand Jury Further Charges:

On or about November 15, 2020, in the District of North Dakota,

BRIAN MICHAEL BURKS

did knowingly use, persuade, induce, entice, and coerce a minor, namely, Jane Doe, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer;

In violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

COUNT FOUR

Travel with Intent to Engage in Unlawful Sexual Activity with a Minor

The Grand Jury Further Charges:

On or about November 15, 2020, in the District of North Dakota,

BRIAN MICHAEL BURKS

did travel in interstate commerce for the purpose of engaging in any illicit sexual conduct, as defined in Title 18, United States Code, Section 2423(g), with another person.

In violation of Title 18, United States Code, Section 2423(b).

COUNT FIVE

Sexual Exploitation of a Child

The Grand Jury Further Charges:

On or about February 21, 2021, in the District of North Dakota,

BRIAN MICHAEL BURKS

did knowingly use, persuade, induce, entice, and coerce a minor, namely, Jane Doe, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer;

In violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

COUNT SIX

Travel with Intent to Engage in Unlawful Sexual Activity with a Minor

The Grand Jury Further Charges:

On or about February 21, 2021, in the District of North Dakota,

BRIAN MICHAEL BURKS

did travel in interstate commerce for the purpose of engaging in any illicit sexual conduct, as defined in Title 18, United States Code, Section 2423(g), with another person.

In violation of Title 18, United States Code, Section 2423(b).

COUNT SEVEN

Sexual Exploitation of a Child

The Grand Jury Further Charges:

On or about February 23, 2021, in the District of North Dakota,

BRIAN MICHAEL BURKS

did knowingly use, persuade, induce, entice, and coerce a minor, namely, Jane Doe, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer;

In violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

COUNT EIGHT

Sexual Exploitation of a Child

The Grand Jury Further Charges:

In or about March 2021, in the District of North Dakota,

BRIAN MICHAEL BURKS

did knowingly use, persuade, induce, entice, and coerce a minor, namely, Jane Doe, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer;

In violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

COUNT NINE

Travel with Intent to Engage in Unlawful Sexual Activity with a Minor

The Grand Jury Further Charges:

In or about March 2021, in the District of North Dakota,

BRIAN MICHAEL BURKS

did travel in interstate commerce for the purpose of engaging in any illicit sexual conduct, as defined in Title 18, United States Code, Section 2423(g), with another person.

In violation of Title 18, United States Code, Section 2423(b).

COUNT TEN

Sexual Exploitation of a Child

The Grand Jury Further Charges:

In or about September 2021, in the District of North Dakota,

BRIAN MICHAEL BURKS

did knowingly use, persuade, induce, entice, and coerce a minor, namely, Jane Doe, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer;

In violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

COUNT ELEVEN

Travel with Intent to Engage in Unlawful Sexual Activity with a Minor

The Grand Jury Further Charges:

In or about September 2021, in the District of North Dakota,

BRIAN MICHAEL BURKS

did travel in interstate commerce for the purpose of engaging in any illicit sexual conduct, as defined in Title 18, United States Code, Section 2423(g), with another person.

In violation of Title 18, United States Code, Section 2423(b).

COUNT TWELVE

Sexual Exploitation of a Child

The Grand Jury Further Charges:

On or about December 19, 2021, in the District of North Dakota,

BRIAN MICHAEL BURKS

did knowingly use, persuade, induce, entice, and coerce a minor, namely, Jane Doe, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer;

In violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

COUNT THIRTEEN

Travel with Intent to Engage in Unlawful Sexual Activity with a Minor

The Grand Jury Further Charges:

On or about December 19, 2021, in the District of North Dakota,

BRIAN MICHAEL BURKS

did travel in interstate commerce for the purpose of engaging in any illicit sexual conduct, as defined in Title 18, United States Code, Section 2423(g), with another person.

In violation of Title 18, United States Code, Section 2423(b).

COUNT FOURTEEN

Sexual Exploitation of a Child

The Grand Jury Further Charges:

On or about May 26, 2021, in the District of North Dakota,

BRIAN MICHAEL BURKS

did knowingly use, persuade, induce, entice, and coerce a minor, namely, Jane Doe, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, knowing and having reason to know that such visual depiction would be transported using any means and facility of interstate and foreign commerce;

In violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

COUNT FIFTEEN

Sexual Exploitation of a Child

The Grand Jury Further Charges:

On or about December 13, 2021, in the District of North Dakota,

BRIAN MICHAEL BURKS

did knowingly use, persuade, induce, entice, and coerce a minor, namely, Jane Doe, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, knowing and having reason to know that such visual depiction would be transported using any means and facility of interstate and foreign commerce;

In violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

COUNT SIXTEEN

Sexual Exploitation of a Child

The Grand Jury Further Charges:

On or about February 19, 2021, in the District of North Dakota,

BRIAN MICHAEL BURKS

did knowingly use, persuade, induce, entice, and coerce a minor, namely, Jane Doe, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, knowing and having reason to know that such visual depiction would be transported using any means and facility of interstate and foreign commerce;

In violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

FORFEITURE NOTICE

Upon conviction of violating Title 18, United States Code, Section 2423(b), as charged in this Indictment,

BRIAN MICHAEL BURKS

shall forfeit to the United States any and all matter which contains visual depictions produced, transported, shipped, and received in violation thereof, and any and all property used and intended to be used in any manner and part to commit and to promote the commission of such violations, including, but not limited to, the following:

- One Samsung Model SM-G986U; IMEI 351835110539776; and
- One Samsung Model SM-S906U, IMEI 357211454680945.

By virtue of commission of the felony offense as charged in this Indictment, all right, title, and interest in the above-described property is vested in the United States and is hereby forfeited to the United States pursuant to Title 18, United States Code, Section 2428.

A TRUE BILL:

/s/ Foreperson

Foreperson

/s/ Mac Schneider

MAC SCHNEIDER

United States Attorney

GLD/tmg